

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
PLANO DIVISION

CONSTANCE SWANSTON and  
WOMEN'S ELEVATED SOBER LIVING  
LLC. and SHANNON JONES

Plaintiffs,

V.

CITY OF PLANO, TEXAS and  
CITY OF PLANO BOARD  
OF ADJUSTMENT

## Defendants



CASE NO. 4:19-CV-00412-ALM

**PLAINTIFFS' UNOPPOSED MOTION TO OFFER TESTIMONY  
BY CONTEMPORANEOUS TRANSMISSION**

Constance Swanston, Elevated Sober Living, LLC and Shannon Jones (“Plaintiffs”) file this Unopposed Motion to Offer Testimony by Contemporaneous Transmission as follows:

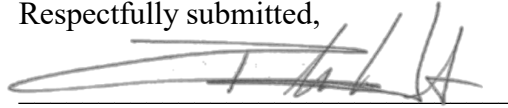
“For good cause in compelling circumstances and with appropriate safeguards, the court may permit testimony in open court by contemporaneous transmission from a different location.” Fed. R. Civ. P. 43 (a).

Plaintiffs' witness, T.H., wishes to appear remotely because she has a five (5) month old infant and has been unable to find childcare.

Plaintiffs respectfully request that T.H. be permitted to testify via contemporaneous electronic transmission. Plaintiffs' counsel will coordinate with Court staff to implement the Court's preferred method of testimony with the appropriate safeguards recommended by the Court.

DATED: February 7, 2021

Respectfully submitted,



Richard M. Hunt

Texas State Bar No. 10288700

[rhunt@hunthuey.com](mailto:rhunt@hunthuey.com)

Jeanne M. Huey

Texas State Bar No. 24004636

[jhuey@hunthuey.com](mailto:jhuey@hunthuey.com)

HUNT HUEY PLLC

3333 Lee Parkway, Suite 600

Dallas, Texas 75219

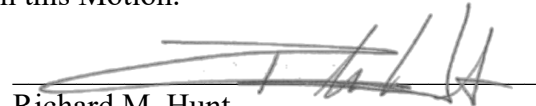
Telephone: (214) 641-9182

Facsimile: (214) 279-6124

ATTORNEYS FOR SWANSTON AND  
ELEVATED

### **CERTIFICATE OF CONFERENCE**


I certify that on February 7, 2021 I conferred with counsel for the Defendants that that Defendants are not opposed to the relief requested in this Motion.



Richard M. Hunt

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing instrument was served on all parties through their respective counsel of record in accordance with Rule 5 of the Federal Rules of Civil Procedure on February 7, 2021.

A handwritten signature in black ink, appearing to read 'R. M. Hunt', is written over a horizontal line.

Richard M. Hunt